

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GEOFFREY NELS FIEGER

Plaintiff,

CIVIL ACTION NO.

vs.

DISTRICT JUDGE

FEDERAL ELECTION COMMISSION,

Defendant.

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MICHAEL R. DEZSI (P64530)
Counsel for Plaintiff
FIEGER, FIEGER, KENNEY, JOHNSON & GIROUX, P.C.,
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COMPLAINT FOR INJUNCTIVE RELIEF

NOW COMES Plaintiff, Geoffrey N. Fieger, by and through counsel, and brings this Complaint against the Federal Election Commission to order the production of agency records which Defendant Federal Election Commission has failed to provide pursuant to the Freedom of Information Act, 5 U.S.C. § 552. Plaintiff further states the following:

1. Plaintiff, Geoffrey N. Fieger, is a duly licensed attorney who resides within the geographical boundaries of the Eastern District of Michigan.
2. On multiple occasions, Mr. Fieger has accused the Bush Justice Department of conspiring with the Federal Election Commission to politicize the enforcement of federal campaign finance laws.

3. During the relevant times in question, the Federal Election Commission was headed by Chairman Michael E. Toner who was appointed by President George W. Bush. Prior to his appointment by President Bush, Toner served as Chief Counsel to the Republican National Committee, and prior to that Mr. Toner served as General Counsel of the Bush-Cheney Transition Team and General Counsel of the Bush-Cheney 2000 Presidential Campaign.

4. Pursuant to the Freedom of Information Act, Plaintiff Fieger requested, by letter dated July 3, 2008, documents, memoranda, correspondences, and e-mails relating to the enforcement of federal campaign finance laws sent between White House officials and Federal Election Commission employees including Chairman Toner (See Exhibit A).

5. The documents sought by Plaintiff are in the possession of the Federal Election Commission, an agency of the United States and are subject to the provisions of the Freedom of Information Act.

6. To date, Defendant Federal Election Commission has failed to provide such documents in violation of federal law.

7. Plaintiff Fieger has a right of access to the requested information under 5 U.S.C. § 552, and there is no legal basis for Defendant's failure to comply with federal law.

RELIEF REQUESTED

WHEREFORE, Plaintiff requests this Court:

- (1) Order Defendant to provide access to the requested documents;
- (2) Expedite this proceeding as provided for in 28 U.S.C. § 1657;

(3) Award Plaintiff costs and reasonable attorney fees in this action, as provided in 5 U.S.C. § 552(a)(4)(E); and

(4) Grant such other and further relief as it may deem just and proper.

Respectfully submitted,

FIEGER, FIEGER, KENNEY, JOHNSON & GIROUX, P.C.

\s\ Michael R. Dezsi
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Dated: September 25, 2008